

REMARKS

Claims 1-3, 8-30, and 34-46 are pending in the application and stand rejected. No claims have been amended in this paper.

REJECTION OF CLAIMS 1-3, 8-30 AND 34-46 UNDER 35 U.S.C. § 103(A)

Claim 1

Claim 1 recites at least one transducer assembly positioned in view of the body cavity and configured to transmit ultrasound to the body cavity, receive at least one echo reflected from surfaces associated with the body cavity; and a computer in signal communication with the at least one transducer assembly, the computer having access to a look-up table of data, the computer being configured to determine at least one harmonic energy level value associated with the at least one echo, the data describing a correspondence between the harmonic energy level value and the fluid volume, and to calculate the fluid volume contained in the body cavity based upon the data.

In contrast, Ganguly and Hatfield, taken either each alone or in combination, fail to teach or suggest a computer having access to a look-up table of data, the data describing a correspondence between a harmonic energy level value and a fluid volume, and configured to calculate the fluid volume contained in the body cavity based upon the data. In fact, a close reading of the Ganguly and Hatfield references reveals that these references fail to so much as mention such a look-up table, much less the recited use of data contained therein. Moreover, the Examiner appears to fail to even allege that these references teach or suggest such a look-up table and its associated limitations. Consequently, the Examiner is respectfully requested to withdraw the finality of this rejection and specifically address how the cited references teach or suggest the above-discussed limitations.

Claims 2-3, 8-15, 17-30 and 34-46 are patentable for reasons at least similar to those discussed with reference to claim 1.

Because Chalana fails to supply the teachings missing from Ganguly and Hatfield, claim 16 is likewise patentable for at least the reason that it depends from claim 1.

CONCLUSION

Applicants assert that all pending claims are novel, non-obvious, fully enabled and, accordingly, in condition for allowance. A Notice of Allowance is therefore requested.

If the Examiner has any questions, the Examiner is invited to contact the undersigned.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}

/P. G. Scott Born/

P. G. Scott Born
Registration No. 40,523
Direct Dial: 206.218.3189